C.S.1001

SINGLE BENCH

(5)

# IN THE HIGH COURT OF JUDICATURE AT BILASPUR

## (CHHATTISGARH)

## WRIT PETITION (S) NO. 3445 OF 2006

**PETITIONER** : Mejaji Lal Kori, Son of Shri B. B. Kori, aged about 33 years, Occupation-Service, Presently working as Patwari, Halka NO. 17, Ratanpur, Tahsil Kota, District Bilaspur (C.G.).

P.R. No. 3513/06
Presented by Shri Ganesh Tripathi
dated 11/7/06

**VERSUS**

**RESPONDENTS** :

1. State of Chhattisgarh, Through : The Secretary, Department of Revenue, D.K.S. Bhawan Raipur (C.G.).
2. The Deputy Secretary, Department of Revenue, D.K.S. Bhawan, Raipur (C.G.).
3. The Commissioner, (Land Records), Raipur (C.G.).
4. The Collector, District Bilaspur, (C.G.).

OATH COMMISSIONER
APARNA MALVIYA
C.G. 0073/99
10/07/06
Bilaspur Chhattisgarh

**WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA**

CERTIFIED COPY
11/7/06

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** ....wp 3445/06.... **सन् 200**

(46)

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | **13.7.2006**<br>Heard Shri Bhaskar Payasi, Adv. for the petitioner.<br>Shri A.S. Kachhawaha, Govt. Adv. for the State on advance copy.<br>By the instant petition the petitioner has questioned the legality, propriety and correctness of order-dated 30.6.2006 whereby the petitioner has been transferred from Patwari Halka No.17 Ratanpur, District Bilaspur to Patwari Halka No.19, Mungeli, District Bilaspur. The main ground of the petitioner to challenge this transfer is that he has been transferred within a short span of period against the transfer policy of the State.<br>It is settled law that the Court can exercise the power of judicial review in case of transfer of an employee only when the transfer is an outcome of malafide or contrary to the statutory rules or impugned order is passed by the incompetent authority. The petitioner's case is not covered in any of the aforesaid conditions, therefore, there is no merit in this petition, same is liable to be dismissed and it is accordingly, dismissed.<br>Consequently, M.(W.)P. No.2640/06 also stands dismissed.<br>**Sd/-**<br>**L.C. Bhadoo** | |

Roshan

P.T.O.